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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,282	07/19/2001	Yasushi Yamade	011350-283	2056

7590 02/23/2005

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EXAMINER

CAO, DIEM K

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/910,282	Applicant(s) YAMADE, YASUSHI	
	Examiner Diem K Cao	Art Unit 2126	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-32 are pending in the application. Applicant has added new claims 19-32.

#### ***Claim Objections***

2. Claims 23-32 are objected to because of the following informalities: claim 23 cites the limitation "a step of installing ... printer driverand ... the computer terminal". Appropriate correction is required.

Claims 31 and 32 should be rewritten to include all the limitations in the claims 19 and 32, respectively.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 30 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 30 recites the limitation "the plurality of printer drivers" in line 2. There is insufficient antecedent basis for this limitation in the claim. Examiner interprets as "the plurality of pieces of setup information" for examination purpose. Correction is required.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 11, 19, 22 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson (U.S. 6,513,159 B1) in view of Canon Inc. (JP, 10-254708, A).

8. **As to claim 1**, Dodson teaches a method for installing a printer driver (installing new drivers from driver source; col. 2, lines 63-65) stored on a recording medium on a computer terminal (Driver source may be a computer-readable medium 145; col. 2, lines 51-54) comprising referring information set in the computer terminal (Master installer ... the platform configuration and its version; col. 3, lines 9-20), and determining what driver to install (determines what drives need to be installed or updated in the computer system; col. 5, lines 4-6 and 40-43), selecting one of the multiple drivers stored on the recording medium on the basis of the computer's platform configuration and its version (the drivers that need to be installed are obtained from the driver source location; col. 5, lines 63-65), and installing the selected driver on the computer terminal (the needed drivers are installed on the computer system; col. 5, lines 66-67). Although Dodson does not explicitly teach printer drivers, Dodson teaches the computer system includes a printer, and different equipments, and the installing process install all the

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needed drivers so the computer system can control the printer and other equipments (col. 2, lines 26-32 and abstract). Inherently, Dodson teaches printer drivers.

9. However, Dodson does not teach referring regional information set in the computer terminal in advance. Canon teaches referring regional information set in the computer terminal in advance in order to install the correct software such as device drivers and application program (page 2, lines 3-6 and 20-24; page 3, lines 8-19; and page 4, lines 17-23).

10. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Dodson and Canon because it would eliminate user's burden for selecting the software for the region that the user belong, and the manufacture can prepare only one kind of pre-installation software for each language, so that the manufacture can achieve a substantial saving in the process of preparation, evaluation, and management (page 6, lines 10-20).

11. **As to claim 11**, it corresponds to the method claim of claim 1 except it is a computer product claim.

12. **As to claim 19**, see rejection of claim 1 above. Dodson also teaches each of the plurality of printer drivers being for the printer (five different versions of a driver for a particular model of a particular model of a particular device; col. 1, lines 33-34).

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13. **As to claim 22**, Dodson teaches the plurality of printer drivers are stored on a computer-readable recording medium (Driver source may be a computer-readable medium 145; col. 2, lines 51-54).

14. **As to claim 31**, it corresponds to the method claim of claim 19 except it is a computer product claim.

15. Claims 2, 12 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson (U.S. 6,513,159 B1) in view of Canon Inc. (JP, 10-254708, A) further in view of Garney (U.S. 6,081,850).

16. **As to claim 2**, Dodson does not teach the selection step comprising steps of referring to a table that correlates the regional information with addresses where each printer driver is stored, and selecting one of the printer drivers by specifying an address corresponding to the regional information. Garney teaches device drivers are stored on a mass storage device of a computer system (col. 6, lines 1-10), the mass storage device has a look up table which maps each type of the card to a memory area of the mass storage device, and the device driver to control the card is stored in the memory area (col. 4, lines 44-55), and selecting one of the driver by specifying an address (point directly to the location on the mass storage device of the device driver; col. 9, lines 22-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Dodson and Garney because it would improve

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the performance of Dodson's system by referring directly to the locations of the software that need to be installed.

17. **As to claims 12 and 20**, see rejection of claim 2 above.

18. Claims 3 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson (U.S. 6,513,159 B1) in view of Canon Inc. (JP, 10-254708, A) further in view of Harding (U.S. 5,794,052).

19. **As to claim 3**, Dodson does not teach the regional information set in the computer terminal in advance includes information concerning language set in the computer terminal. Harding teaches the regional information set in the computer terminal in advance includes information concerning language set in the computer terminal (The software setup ... language keyboard configuration; col. 13, lines 5-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Dodson and Harding because it reduces the time needed for setting up a computer system in a user selected language version of the operating system (abstract).

20. **As to claim 21**, see rejection of claim 3 above.

21. Claims 4-5, 13-14, 23-24, 30 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crick et al. (U.S. 5,781,797) in view of Canon Inc. (JP, 10-254708, A).

22. As to **claim 4**, Crick teaches referring information set in the computer terminal in advance (the driver configuration routine scans the load table, the load table contains a list of pointers to component drivers that are available to be configured into device driver; col. 5, lines 21-31), selecting a piece of setup information from multiple pieces of information stored on the computer based on the information (the routine selects the component driver pointed to by the last entry in the load table; col. 5, lines 58- 59 and each component driver performs a function that may be used in accessing a device; abstract), installing a control program (device control block; col. 6, lines 10-13 and col. 5, lines 64-67) and the selected piece of setup information on the computer terminal (loading each remaining in the load table; col. 5, lines 63-64). Although Crick does not explicitly teach printer driver, Crick teaches the driver in general, it would have been obvious the printer driver could be installed instead.

23. However, Crick does not teach referring regional information set in the computer terminal in advance. Canon teaches referring regional information set in the computer terminal in advance in order to install the correct software such as device drivers and application program (page 2, lines 3-6 and 20-24; page 3, lines 8-19; and page 4, lines 17-23).

24. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Crick and Canon because it would eliminate user's burden for selecting the software for the region that the user belong, and the manufacture can prepare only one kind of pre-installation software for each language, so that the manufacture can achieve



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a substantial saving in the process of preparation, evaluation, and management (page 6, lines 10-20).

25. **As to claim 5**, Crick teaches the selection step is executed by using a setup selection module (the driver configuration routine ... configured into device driver; col. 5, lines 22-27). However, Crick does not teach the setup selection module contained in the control program. Crick teaches the setup selection module is part of the operating system and used to configure the device driver, it would have been obvious the location of the setup module could be stored in the control program instead for better maintain.

26. **As to claim 13**, it corresponds to the method claim of claim 4 except it is a computer product claim.

27. **As to claim 14**, see rejection of claim 5 above.

28. **As to claim 23**, see rejection of claim 4 above. Crick also teaches each of the plurality of pieces of setup information being for the printer (Device driver ... of component drivers 304; col. 4, lines 6-9).

29. **As to claim 24**, see rejection of claim 5 above.

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30. **As to claim 30**, Crick teaches the plurality of pieces of setup information are stored in a computer-readable recording medium (see Fig. 2).

31. **As to claim 32**, it corresponds to the method claim of claim 23 above except it's a computer product claim.

32. Claims 6-8, 15-17, and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crick et al. (U.S. 5,781,797) in view of Canon Inc. (JP, 10-254708, A) further in view of Hanson (U.S. 6,148,346).

33. **As to claim 6**, Crick does not teach the setup information includes language information used for displaying the status of printing conditions a screen. Crick teaches the component driver performs a function that may be used in accessing a device (abstract). Hanson teaches the displayed GUI regarding the printer setup information, menu items selections and status information of the printer are provided from the printer driver (col. 5, lines 13-43). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Crick and Hanson because the component driver could be the function to display the printing condition on the screen.

34. **As to claim 7**, Crick does not teach the setup information includes information on printing paper sizes to be used on the printer. Crick teaches the component driver performs a function that may be used in accessing a device (abstract). Hanson teaches the displayed paper

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size is provided from the printer driver (col. 5, lines 53-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Crick and Hanson because the component driver could be the function to display the paper size to be used.

35. **As to claim 8**, Crick does not teach the setup information includes information on measurement unit systems to be used for setting up printing conditions and displays. Crick teaches the component driver performs a function that may be used in accessing a device (abstract). Hanson teaches the displayed GUI regarding the printer setup information, menu items selections and status information of the printer are provided from the printer driver (col. 5, lines 13-43). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Crick and Hanson because the component driver could be the function to specify the measurement unit systems to be used.

36. **As to claims 15-17**, see rejections of claims 6-8 above.

37. **As to claims 25-27**, see rejections of claims 6-8 above.

38. Claims 9, 18, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crick et al. (U.S. 5,781,797) in view of Canon Inc. (JP, 10-254708, A) further in view of Garney (U.S. 6,081,850).

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39. **As to claim 9**, Crick does not teach the selection step including the steps of referring to a table that correlates the regional information with addresses where each piece of setup information is stored, and selecting a piece of setup information from multiple pieces of information by specifying an address corresponding to the regional information. Garney teaches device drivers are stored on a mass storage device of a computer system (col. 6, lines 1-10), the mass storage device has a look up table which maps each type of the card to a memory area of the mass storage device, and the device driver to control the card is stored in the memory area (col. 4, lines 44-55), and selecting one of the driver by specifying an address (point directly to the location on the mass storage device of the device driver; col. 9, lines 22-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Crick and Garney because it would improve the performance of Crick system by referring directly to the locations of the software that need to be installed.

40. **As to claims 18 and 28**, see rejection of claim 9 above.

41. Claim 10 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crick et al. (U.S. 5,781,797) in view of Canon Inc. (JP, 10-254708, A) further in view of Harding (U.S. 5,794,052).

42. **As to claim 10**, Crick does not teach the regional information set in the computer terminal in advance includes information concerning language set in the computer terminal. Harding teaches the regional information set in the computer terminal in advance includes

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information concerning language set in the computer terminal (The software setup ... language keyboard configuration; col. 13, lines 5-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Crick and Harding because it reduces the time needed for setting up a computer system in a user selected language version of the operating system (abstract).

43. **As to claim 29**, see rejection of claim 10 above.

***Response to Arguments***

44. Applicant's arguments filed 10/12/2004 have been fully considered but they are not persuasive.

In the remarks, Applicant argued in substance that (1) Canon does not teach selecting one of a plurality of printer drivers based on regional information.

Examiner respectfully traverses Applicant's arguments:

As to the point (1), Canon teaches the regional information is set in the computer in advance that includes regional information and a list/table of phone numbers for all the regions. Based on the regional information, the phone number is searched and selected to call to the service center to obtain the software (col. 3, lines 8-19 and col. 4, lines 18-23). Thus, Canon teaches the claimed limitation.

*Conclusion*

45. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diem K Cao whose telephone number is (571) 272-3760. The examiner can normally be reached on Monday - Friday, 8:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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**Any response to this action should be mailed to:**

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